

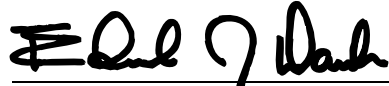
RUSSELL D. RODGERS,	)	No. C 10-05362 EJD (PR)
	)	
Plaintiff,	)	ORDER OF DISMISSAL
	)	
vs.	)	
	)	
	)	
VINCE CULLEN, et al.,	)	
	)	
Defendants.	)	
	)	
	)	

On December 3, 2010, the notice to Plaintiff was returned as undeliverable. (Docket No. 4.) On December 15, 2010, Plaintiff filed a notice of Change of Address, stating that he was released from prison and requesting a status of his complaint. (Docket No. 5.) As Plaintiff was no longer incarcerated, the Court

1 directed him to file a non-prisoner in forma pauperis application no later than May 1,  
2 2011, or in the alternative, to pay the full \$350.00 filing fee. (Docket No. 6.)  
3 Plaintiff was advised that failure to respond in accordance with the Court's order in  
4 the time provided may result in dismissal of this case without prejudice for failure to  
5 pay the filing fee without further notice to Plaintiff. (Id.) Plaintiff was also  
6 provided with two copies of the court's non-prisoner In Forma Pauperis Application.  
7 (Id.)

8 The deadline has since passed, and Plaintiff has neither paid the filing fee nor  
9 filed a completed in forma pauperis application. Accordingly, this case is  
10 DISMISSED without prejudice for failure to pay the filing fee.

11  
12 DATED: May 11, 2011



EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RUSSELL DWAYNE RODGERS,

Plaintiff,

v.

VINCE CULLEN, et al.,

Defendants.

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Case Number: CV10-05362 EJD

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/17/2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Russell D. Rodgers  
2458 Illinois Street  
East Palo Alto, CA 94303

Dated: 5/17/2011

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk